

ENTERED

December 21, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ROBERT M. LOERA,

Plaintiff,

VS.

KINGSVILLE INDEPENDENT SCHOOL
DISTRICT, *et al.*,

Defendants.

CIVIL ACTION NO. 2:21-CV-00031


ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

Pending before the Court is Plaintiff's Motion to Dismiss (D.E. 89). On December 4, 2023, United States Magistrate Judge Jason B. Libby issued a Memorandum and Recommendation (M&R, D.E. 90), recommending that Plaintiff's motion be granted and that Plaintiff's claims against Defendants Gabriel Xavier Villarreal and Israel Villarreal be dismissed. The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge's memorandum and recommendation. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Servs. Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge's memorandum and recommendation (D.E. 90), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, Plaintiff's motion to dismiss his claims against Defendants Gabriel Xavier Villarreal and Israel Villarreal (D.E. 89) is **GRANTED** and Plaintiff's claims against these defendants are **DISMISSED WITHOUT PREJUDICE**. Plaintiff's claims against Defendant KISD remain pending.

ORDERED on December 21, 2023.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE